

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
KAWS, INC.,  
:

Plaintiffs,  
:

v.  
:

THE INDIVIDUALS, CORPORATIONS,  
LIMITED LIABILITY COMPANIES,  
PARTNERSHIPS, AND UNINCORPORATED  
ASSOCIATIONS IDENTIFIED ON SCHEDULE  
A TO THE COMPLAINT,  
:

Defendants.  
:  
----- X

**ORDER**

22 Civ. 6721 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

For the reasons stated on the record on September 15, 2022, I held that Plaintiff failed to meet its burden of establishing a likelihood of success on the merits of its copyright and trademark infringement claims against each of the 160 named Defendants, named and identified on Schedule A to the Complaint. I denied the motion for preliminary injunction.

In addition, a representation was made that settlement had been reached with Defendants #73 (bears2636), #146 (Joybuy), #147 (Joybuy America), #148 (Joybuy Express), #149 (Joybuy Fashion), and #150 (Joybuy Selection) as identified on Schedule A to the complaint. Pursuant to Plaintiff's motion and under Rule 41(a), the case against those Defendants is dismissed without prejudice.

Having denied the motion for preliminary injunction, the Temporary Restraining Order issued on August 19, 2022, and extended on August 30, 2022, is dissolved, and the bond of \$5,000 placed as security shall be returned. And in the light of the dismissal, Plaintiff shall

file an amended complaint removing the dismissed Defendants from Schedule A by November 27, 2022.

SO ORDERED.

Dated: September 16, 2022  
New York, New York

/s/ Alvin K. Hellerstein  
ALVIN K. HELLERSTEIN  
United States District Judge